

# Book is inventors' bible on patents

Like incorporation, divorce and probate, you can successfully file patents without expensive attorney fees. The excellent, newly revised book "Patent It Yourself" by David Pressman will show you how it's done.

Presented in roughly the same order as the patent filing process, this book is published by Nolo Press, 950 Parker St., Berkeley, Calif. 94710 is 432 pages and costs \$29.95. It takes the reader from the abstract, "I have an idea" stage through the niggling details and strategies of dealing with the government Patent and Trademark Office.

Author David Pressman, a patent attorney and inventor himself, lays the groundwork with thorough discussions about what a patent is, who can file, how long different patents last and even how a patent can be lost.

To most people, patents are lumped together with their cousins, trademarks and copyrights. While they are parts of "intellectual law," this is how "Patent It Yourself" separates them:

■ Patent law deals specifically



Hillel Segal

with ideas or physical creations commonly known as inventions. An easy example is the flip-top can opener.

■ Trademark law deals with names and whether the owner of a name is granted its exclusive use. Trademark examples: Ivory, Coke and "Patent It Yourself."

■ Copyright law covers the output of authors, composers, programmers and artists. It prevents their original creations from being used or copied without permission. As an example, copyright law covers the material in this article.

One surprising distinction about patents is that patents aren't a form of protection for the inventor. Rather, they are "offensive weapons" best exercised when the patent owner sues or threatens an infringer. In intellectual property law, as in sports, it is the powerful

offense that wins.

One fun chapter is about the science and magic of inventing. Pressman talks about the process of inventing, and how it's often the accidental discovery, the "right brain" excursion, or the remembered dream that inspires a successful patent. Well-known, but unplanned, inventions include: Ivory soap, cellophane and penicillin.

The author stresses the importance of documentation in filing for a patent and offers a wealth of ready-to-use forms assembled in the appendix. Because the inventor is vulnerable at early stages, he emphasizes the need for witnessed disclosure agreements whenever using consultants or researchers.

Another early task is the "patentability search." One purpose of the search is to locate similar existing patents. Another is to glean helpful information from other patents that might be used to make an application stronger.

After following all the above advice, you might be surprised to learn that there's a chapter on "Getting the Patent Office to Deliver." It's sad but true that, as

with any government agency, your treatment by the Patent Office can be frustrating and unfair. "Patent It Yourself" gives the wronged inventor an arsenal of rebuttals and appeals when the Patent Office hands down unfavorable rulings.

Assuming that you follow all the advice offered, however, there's a long period of limbo — the "patent pending" stage.

If you haven't already, this is the time to get serious about finding manufacturers or distributors. And don't forget filing with foreign offices and adjusting to their Byzantine rules.

■ The bottom line: "Patent It Yourself" is a marvelous, massive reference work on the patent process. The book presents complicated procedures in easily digested chunks, with anecdotes, forms and plenty of old-fashioned good advice.

*Hillel Segal's column includes evaluations of gadgets, seminars and books designed to enhance business productivity. Segal is a management consultant based in Boulder.*